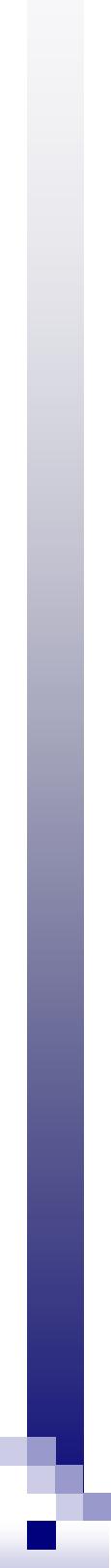




# Office of Child Welfare Parental Defense

2004 Report to the  
Child Welfare Legislative Oversight Panel

Alicia K. Davis, J.D.  
*Director*



# Utah's Court Improvement Project

- In 1993, Congress created the Court Improvement Project (CIP), a grant program to assist state courts in handling child abuse and neglect cases.
- Funds used to assess problems in processing neglect and abuse cases, to implement system improvements, and to evaluate the effectiveness of improvements.

Volume VII  
No. 1, April 2003

*Technical  
Assistance  
Bulletin*

An Evaluation of Utah Court Improvement  
Project Reforms and Best Practices:  
Results and Recommendations

PERMANENCY PLANNING FOR CHILDREN DEPARTMENT

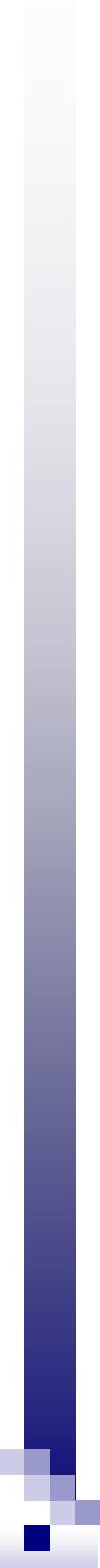


NATIONAL COUNCIL OF  
JUVENILE AND FAMILY COURT JUDGES



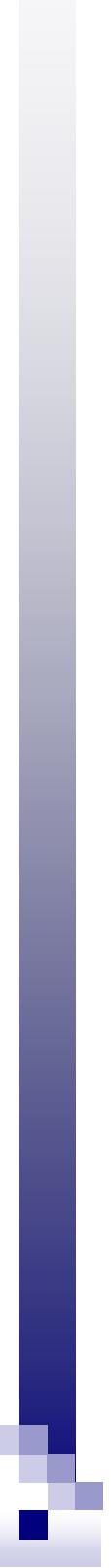
# 2002 Parental Defense Barriers

- Parental defenders tend to be the lowest paid and the least resourced of all the legal representatives (3.15).
- No consistent, specialized training or practice standards (3.16).
- Little discussion of system issues (3.17).
- Heavy caseloads (3.17)
- No statewide office (3.17).



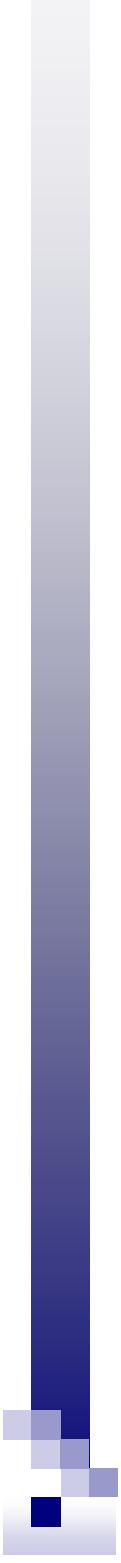
# 2002 Recommendations

- Better integration of parental defenders (ES.6);
- Parental defender resources, including development and implementation of a well resourced statewide office (ES.12);
- Appearance of parental defenders at all hearings, especially in rural districts (ES.12);
- Better implementation and training on standards of practice for parental defenders (ES.12).



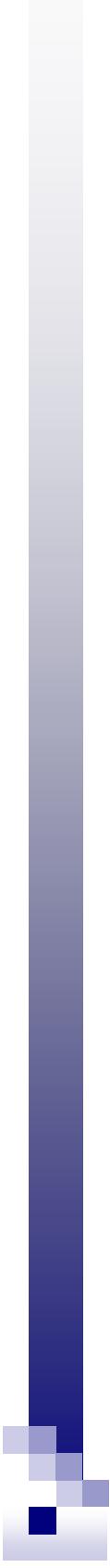
*“Study Finds Child  
Welfare Cases Tilted by  
Poor Defense”*

Jacob Santini, Salt Lake Tribune,  
January 13, 2003.



# Thompson, HB 268 (2004)

- Provide education and *TRAINING* for parental defense
- Develop *GUIDELINES* of professional, contractual and ethical duties
- *ASSIST* parental defenders in complying with their professional, contractual and ethical duties
- Develop and enter into *CONTRACTS* with parental defense attorneys. Utah Code Ann. § 63A-11-101

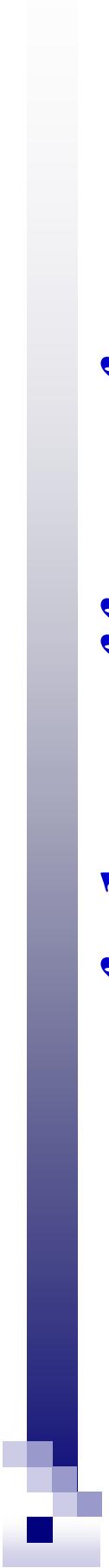


# July 6, 2004 to Present:

- Research other offices, programs and structures
- Consult with Child Welfare Community
- Needs Assessment
- Initiate County Contacts
- Develop Strategic Plan
- Plan First Training: Spring 2005
- Organizational Experts
- Develop On-Line Resource Library

# Washington State Pilot Study

- 100% timeliness vs. 63.9% pre-pilot (permanency hearings)
- 50% decrease in the rate at which juveniles “aged-out” of the system
- 53.3% increase in family reunification
- 44% decrease in termination of parental rights
- Substantial decrease in foster care \$\$\$
- Party Satisfaction



# VISION of the Office of PARENTAL DEFENSE

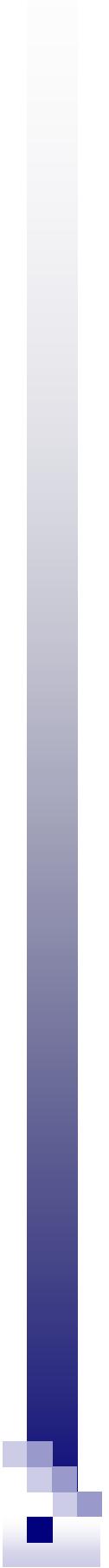
By providing training and practice tools to parental defenders, the office will ensure that families receive skilled, competent legal representation. By holding parental defenders to established standards of practice, the office will ensure that families are zealously and ethically represented. By establishing model county contracts with parental defenders, the office will ensure that families receive uniform legal protection through the State of Utah.

# MISSION

The Office of Child Welfare Parental Defense will implement the statutory guarantee of parental defense to ensure zealous and conscientious representation of parents as funded by the counties and the State of Utah by administering training, resources and guidelines for the attorneys providing these services.

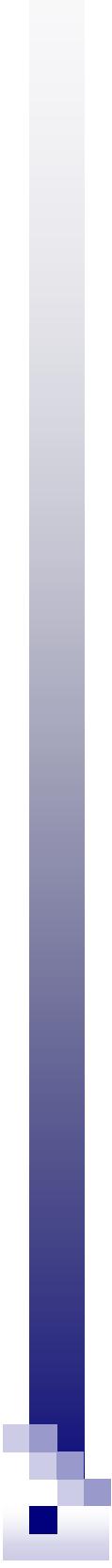
# OUTCOMES

- Improved Knowledge and Experience for Parental Defenders
- Improved Adherence to Professional Standards of Practice for Parental Defenders
- Improved Organization and Administration of Resources for Parental Defenders Statewide



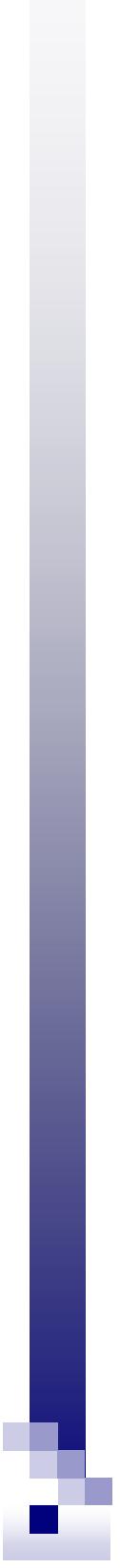
## Success measured by:

- parental satisfaction surveys
- judicial and attorney surveys
- data collection including billings affidavits
- systemic measures



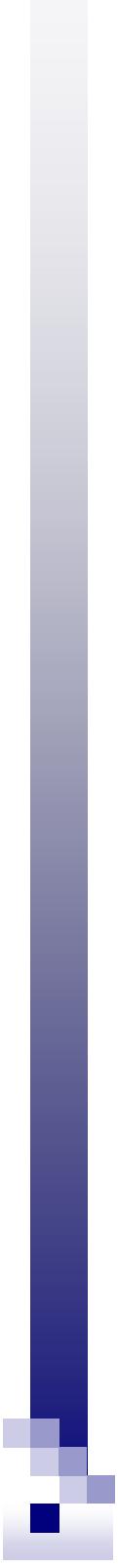
# IMPACT ACHIEVED BY PARENTAL DEFENSE

- 1) developing standards of practice for parental defenders,
- 2) developing training programs for parental defenders to help them reach those standards of practice, and
- 3) assisting in the administration of county contracts with parental defenders.



# Standards of Practice

- Other states
- ABA, NCJFCJ
- Formalized and incorporated into county contracts



# Training Programs

- Spring 2005 Parental Defenders' Conference, May 19<sup>th</sup> and May 20<sup>th</sup> – Southern Utah
- Fall 2005 Multidisciplinary Training
- Website
- List-serve updates
- Bulletin board



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# Office of Child Welfare Parental Defense

A Service of the Department of Administrative Services, State Of Utah



The Office of Child Welfare Parental Defense will implement the statutory guarantee of parental defense to ensure zealous and conscientious representation of parents as funded by the counties and the State of Utah by administering training, resources and guidelines for the attorneys providing these services.

5110 State Office Building  
PO Box 141105  
Salt Lake City, Utah 84114-0000  
  
Phone: (801) 538-3458  
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[Organization](#)

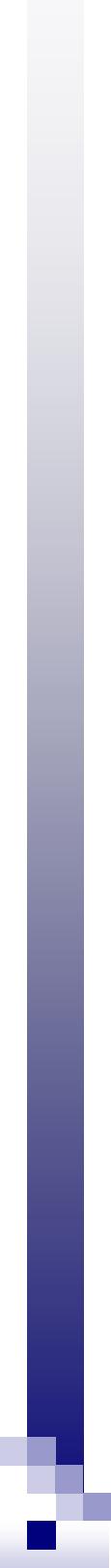
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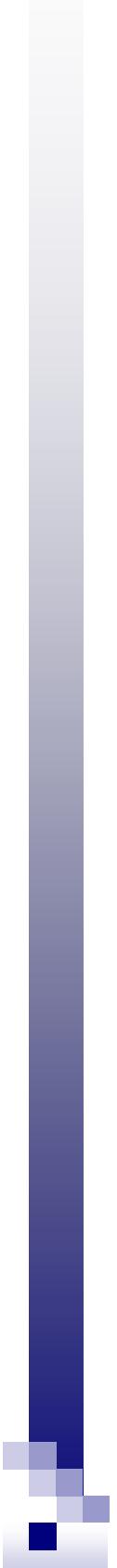
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**Utah!**  
Where Ideas Connect



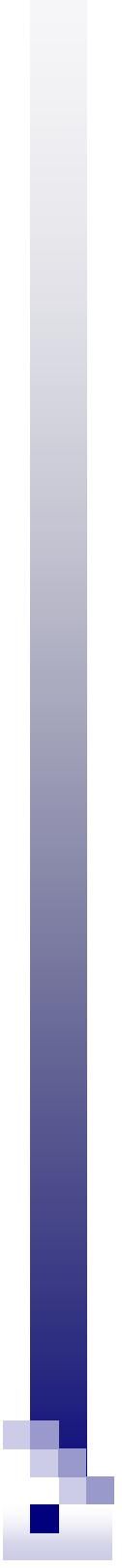
# Administration

- Work with individual counties to determine needs.
- Model contracts.
- County may delegate contract administration.
- Assist county with oversight, data collection and accountability measures



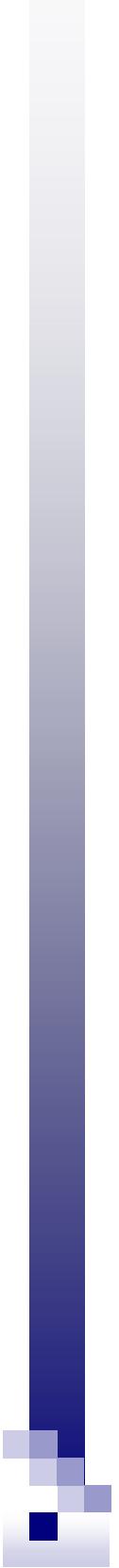
# Challenges

- Individual representation
- County involvement in child welfare matters
- Incentive to counties to participate
- Oversight and authority



# 2005 Legislation

- Standards applicable to all
- Appointment of Counsel



# Questions or Comments:

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[www.parentaldefense.utah.gov](http://www.parentaldefense.utah.gov)